



CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 22, 2023

A handwritten signature in black ink, appearing to be "Edward" followed by a stylized flourish.

United States Bankruptcy Judge

United States Bankruptcy Court
Northern District of Texas
Fort Worth Division

In re:

Asim Ashfaqur Rahim

2500 State Hwy 121, Apt. 1821

Eules, TX 76039

SSN: xxx-xx-9147

Debtor

Lucky Investments, Inc. and Saleem Tareen, Plaintiffs

v.

Asim A. Rahim and Nida Mehwish, Defendants

Case No. 22-42220-elm7

Chapter 7

Adversary No. 22-04061-elm

**ORDER GRANTING MOTION TO DISMISS FIRST
AMENDED COMPLAINT UNDER FEDERAL RULE OF CIVIL PROCEDURE 12(b)**

On May 4, 2023, the Court considered the *Motion to Dismiss Complaint* [Adv. No. 20] filed by defendants Asim A. Rahim and Nida Mehwish. The defendants' motion sought relief under Federal Rules of Civil Procedure 12(b), made applicable to these proceedings under Federal Rule of Bankruptcy Procedure 7009. After reviewing the pleadings and hearing arguments of

counsel, the Court finds good cause for the entry of this order. For the reasons stated in open court, it is therefore,

ORDERED that the motion under Fed. R. Civ. P. 12(b) is **GRANTED** in part and **CONDITIONALLY GRANTED** in part.

IT IS FURTHER ORDERED that all claims against defendant Nida Mehwish and all claims brought by plaintiff Saleem Tareen, individually, are **DISMISSED** with prejudice.

IT IS FURTHER ORDERED that all causes of action alleged under 11 U.S.C. §§ 727(a)(2) and (a)(3) are **DISMISSED** with prejudice.

IT IS FURTHER ORDERED the causes of action under 11 U.S.C. §§ 727(a)(4)(A), 727(a)(5), 523(a)(4), and 523(a)(6) are **CONDITIONALLY DISMISSED**. Plaintiff Lucky Investments, Inc. has until May 19, 2023 to replead the conditionally dismissed causes of action.

IT IS FURTHER ORDERED that the motion is denied without prejudice in all other respects.

End of Order

Prepared and submitted by:
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